

ELECTION

1. Pursuant to 35 U.S.C. § 121, Applicants provisionally elect, with traverse, Invention I, claims 1-10. Claims 1-10 read on Invention I. As amended herein, Applicants respectfully assert that claims 11-29 also read on Invention I. Pursuant to 37 C.F.R. § 1.143, Applicants hereby request reconsideration and withdrawal or modification of the Requirement to Restrict.

RESPONSE

1. Claims 1-29 are remaining with the Application.
2. Pursuant to 37 C.F.R. § 1.143, Applicants hereby request reconsideration and withdrawal or modification of the Requirement to Restrict.
3. The Examiner first asserts that claims 1-10 comprise Invention I classified as Class/Subclass 424/489. Class 424 broadly contains “drugs” under which is found Subclass 400 (“special physical form”) and, further, Subclass 489 (“particulate form” and “coated or impregnated particle”).
4. The Examiner next asserts that claim 11 comprises Invention II classified as Class/Subclass 424/497. Class 424 broadly contains “drugs” under which is found Subclass 400 (“special physical form”), 489 (“particulate form” and “coated or impregnated particle”), 490 (“coated” and “particle is coated”), and 497 (“solid synthetic polymers” and “polymers are coated with a solid synthetic resin”). Applicants respectfully contend there is nothing in claim 11 to suggest “subject matter which possess some form, or a specific dimension or configuration, or its components are associated as plural layers or parts” as required by Subclass 400. Neither is there anything in claim 11 to suggest “coated or impregnated particle” as required by Subclass 489.

5. The Examiner next asserts that claim 12 comprises Invention III classified as Class/Subclass 424/400. Class 424 broadly contains “drugs” under which is found Subclass 400 (“special physical form”). As with Invention II, Applicants respectfully contend there is nothing in claim 12 to suggest any “special physical form” as required by Subclass 400.

6. The Examiner next asserts that claims 13 and 14 comprise Invention IV classified as Class/Subclass 424/409. Class 424 broadly contains “drugs” under which is found Subclass 400 (“special physical form”), Subclass 405 (“biocides”, pesticides and disinfectants”, and “generally biocidal to all organisms in a given local area”), and Subclass 409 (“solid as carrier or diluent” and “only when coated by a biocidal or insect or animal attractant or repellent composition”). Applicants respectfully contend there is nothing in claims 13 and 14 to suggest a “biocide” as that term is used in Subclass 405.

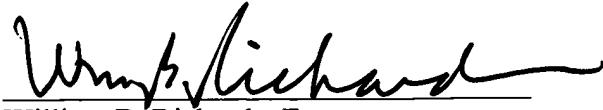
7. The Examiner next asserts that claims 15-17 comprise Invention V classified as Class/Subclass 514/2. Class 514 broadly contains “drugs” and is considered to be an integral part of Class 424. Under Class 514 is found Subclass 1 (“DOAI”) and Subclass 2 (“peptide containing DOAI”). Applicants respectfully contend there is nothing in claims 15-17 to suggest a “peptide”.

8. Finally, the Examiner asserts that claims 18-29 comprise Invention VI classified as Class/Subclass 424/94.4. Class 424 broadly contains “drugs” under which is found Subclass 94.1 (“enzyme or coenzyme coating”) and Subclass 94.4 (“oxidoreductases”). Applicants respectfully contend there is nothing in claims 18-29 to suggest an “enzyme or coenzyme coating” or “oxidoreductases”.

9. The above notwithstanding, claims 11-29 have been amended herein to depend, either directly or indirectly, from claim 1. Applicants assert, therefore, that all claims now read on Invention I.

10. Support for the amended claims can be found throughout the Specification and in the original claims. Entry by the Examiner is respectfully requested.

Respectfully submitted,



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